

CITY OF TIGARD, OREGON

ORDINANCE NO. 02-26

AN ORDINANCE REPEALING TIGARD MUNICIPAL CODE CHAPTER 11.05 RELATING TO
RESIDUAL SOLID WASTE

WHEREAS, Tigard Municipal Code Chapter 11.05 contains provisions relating to the collection and transportation of solid waste and recyclables, and

WHEREAS, this code was adopted in response to a United States District Court decision that prevented the regulation of the price, route or service in the transportation of source separated recyclables and/or mixed loads containing solid waste and recyclable materials from single generator, non-residential accounts, transported to a manufacturer, recycling facility or material recovery facility, and

WHEREAS, a recent decision by the United States Court of Appeals for the Ninth Circuit Court reversed the District Court's decision therefore making the residual solid waste code unnecessary.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: Tigard Municipal Code Chapter 11.05 is hereby repealed.

SECTION 2: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor, and posting by the City Recorder.

PASSED: By unanimous vote of all Council members present after being read by number and title only, this 9th day of July, 2002.

Catherine Wheatley
Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this 9th day of July, 2002.

James E. Griffith
James E. Griffith, Mayor

Approved as to form:

Stephen Kren
City Attorney

July 9, 2002
Date